

REMARKS

This Submission under 37 CFR § 1.114 is responsive to the Office Action dated November 21, 2003 and the Advisory Action dated March 30, 2004. Claims 1-7 remain pending in the present application. The rejections set forth in the Office Action are respectfully traversed below.

Rejections Under 35 U.S.C. §103(a)

Claims 1 – 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Muller** (USP 4,597,752) in view of **Martin** (USP 5,062,597). It is submitted that nothing in the cited prior art, either alone or in combination, teaches or suggests all the features recited in the present claimed invention.

First, the Applicant maintains the arguments set forth in the Request for Reconsideration dated February 20, 2004, incorporated herein by reference.

Second, it is also submitted that even if the references were combined, for the sake of argument, the present claimed invention is still not achieved. The Office Action focused on the non-swinging, but telescoping, arm disclosed in **Muller**, and the swinging arm disclosed in **Martin**.

Muller only describes the telescoping action of the paper guide above the paper stack to adjust the *vertical* length of the arm in order to maintain a predetermined vertical height/distance between the two. The telescoping action does not occur *during* any swinging motion because the arm of **Muller** does not swing.

The alleged combination of **Muller** and **Martin** still does not result in the present claimed invention. There is no teaching in the prior art, either alone or in combination, to indicate how much extension should be applied, when the arm is *past the vertical*. Indeed, even if **Muller** and **Martin** were combined, for the sake of argument, the extent of the resulting teachings is only that there is a telescoping arm that may be adjusted in length at the vertical position, to maintain a vertical height/distance from the paper stack – and that such an *already-telescoped* arm may swing. This is no better than the conventional art described in the Background of the Invention section of the present specification. There would still be undesirable gap between the tip of the arm and the folding location of the paper when the arm is at either extreme of the swing arc.

Basically, the prior art does not teach or suggest, either alone or in combination, any variable extension of the arm along the course of the swing itself. While the teachings of **Muller** indicates the arm may be extended at the vertical position to maintain the predetermined distance above the paper stack, there is nothing in **Muller**, or in the further combination with **Martin**, that teaches or suggests a variation in the length of the arm *as the arm swings*.

The present invention of independent claim 6 recites this distinction in the feature wherein “the length of said swing arm *varies over a range of a swing* of said swing arm.” As explained above, the prior art does not teach or suggest any variation of the arm during the swing itself.

Independent claim 1 was amended to further clarify this feature of the present invention, specifying that the telescoping swing arm varies its length “corresponding to a swing angle” over

the range of the swing. As explained above, nothing in the prior art further links arm length extensions with any specific swing angle.

Claim 2 was re-written into independent form. Claim 2 recites a specific manner of variation in the length of the swing arm during the swing – being at a minimum length at the center of the swing and gradually increasing towards extreme portions of the swing. To date, no Office Action specifically identified any teachings or suggestions in the cited prior art, either alone or in combination, to address such claimed features. As explained above, nothing in the prior art teaches or suggests, either alone or in combination, any specific manner of arm length variation, past the vertical – and clearly nothing that would further address the specific manner of variation during the swing itself, as recited in the present claimed invention.

For at least these reasons, the present claimed invention patentably distinguishes over the prior art. If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully Submitted,

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A handwritten signature in black ink, appearing to read "John P. Kong", with a stylized, flowing script.

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